

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0338-05
Bill No.: SCS for SB 52
Subject: Courts; Law Enforcement Officers and Agencies; Criminal Procedure; County Officials
Type: Original
Date: April 26, 2013

Bill Summary: This proposal allows sheriffs, county marshals, and other officers to charge six dollars for their services in cases disposed of by a traffic violations bureau and creates the MODEX fund.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
MODEX Fund	Less than \$426,402	Less than \$511,683	Less than \$511,683
Total Estimated Net Effect on <u>Other</u> State Funds	Less than \$426,402	Less than \$511,683	Less than \$511,683

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on FTE	0	0	0

☒ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Local Government	Less than \$426,402	Less than \$511,683	Less than \$511,683

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Courts Administrator (CTS)** state the proposed legislation allows sheriffs, county marshals and other officers to charge six dollars for their services in cases disposed of by a traffic violations bureau and creates the MODEX fund.

Based on FY 2012 data, there were approximately 170,561 traffic cases on which the \$6.00 surcharge could be applied. CTS anticipates the MODEX revenue from the surcharge would be approximately \$511,683 ($170,561 \times \$6 / 2$) in any given year, with an equal amount going to the counties' inmate security funds.

Officials from the **Department of Public Safety - Missouri Highway Patrol, Office of the State Treasurer** and the **Department of Corrections** each assume the proposal would not fiscally impact their respective agencies.

Officials from the counties of **Boone, Audrain, Cass, Greene, and Platte** did not respond to our request for fiscal impact.

With an August 28, 2013, effective date, **Oversight** will reflect 10 months of activity in FY 2014.

This Senate Substitute excludes St. Louis County from charging the fee; therefore, **Oversight** will change the fiscal impact as reflected in the original bill to include "Less than" the amount provided by CTS.

This proposal would increase Total State Revenues.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
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MODEX FUND

<u>Income</u> - one-half of \$6 surcharge for infractions processed through the traffic violations bureau	Less than <u>\$426,402</u>	Less than <u>\$511,683</u>	Less than <u>\$511,683</u>
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ESTIMATED NET EFFECT TO THE MODEX FUND	<u>Less than</u> <u>\$426,402</u>	<u>Less than</u> <u>\$511,683</u>	<u>Less than</u> <u>\$511,683</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
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COUNTIES

<u>Income</u> into the counties' inmate security fund from one-half of \$6 surcharge for infractions processed through the traffic violations bureau (except for St. Louis County)	Less than <u>\$426,402</u>	Less than <u>\$511,683</u>	Less than <u>\$511,683</u>
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ESTIMATED NET EFFECT TO COUNTIES	<u>Less than</u> <u>\$426,402</u>	<u>Less than</u> <u>\$511,683</u>	<u>Less than</u> <u>\$511,683</u>
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FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

Currently, sheriffs, county marshals and other officers are not allowed to charge for their services rendered in cases disposed of by a traffic violations bureau. This act allows these officials (except for St. Louis County) to charge six dollars for their services. One-half of the amount

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FISCAL DESCRIPTION (continued)

collected will be deposited in the MODEX fund. The other half will be deposited in the inmate security fund of the county or municipality where the citation originated. If the county or municipality does not have an inmate security fund, all of the amount collected shall be deposited in the MODEX fund.

This act also creates the MODEX fund. The fund will be used for the support and expansion of the Missouri Data Exchange (MODEX) system. The Peace Officers Standards and Training Commission will administer the fund.


This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Public Safety
Office of the State Courts Administrator
Office of the State Treasurer
Department of Corrections

Not Responding:

Boone County
Audrain County
Cass County
Greene County
Platte County



Ross Strope
Acting Director
April 26, 2013